

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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TIMOTHY PORTMAN,

Civil No. 06-2520 (JNE/JSM)

Petitioner,

v.

**ORDER**

R. L. MORRISON, Warden,

Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated July 31, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED:

1. The Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 be DENIED as moot; and
2. This action is DISMISSED WITH PREJUDICE.

Dated: August 23, 2006

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Court Judge